

REMARKS

Examiner Castellano has rejected the originally filed claims 2-4, 9 and 10 of the present application. For the reasons which follow, applicant respectfully traverses this rejection of the Examiner. The applicant does, however, wish to extend appreciation to Examiner Castellano for the quite detailed review of the claims of the present invention leading to the finding of patentable subject matter of the originally filed claims of the present application by the lack of rejections of claims 1, 5-8 and 11-13 based upon prior art.

Claim 11 has been amended to be independent form. Although not including all of the limitations of claim 2 as originally filed (which remain or are included in claims 2, 14 and 15), it is believed that claim 11 defines the subject matter recognized by Examiner Castellano to be patentable. Thus, it is believed that claim 11 and the claims which depend therefrom are in condition for allowance. Such favorable action is respectfully requested.

The language of claim 2 has been amended in a manner believed desired by Examiner Castellano to overcome the objection and the rejection under 35 U.S.C. § 112 thereto. In particular, the second "second" in the second to the last line of claim 2 as originally filed has been changed to --open--. Also, the words --for movement-- have been added before "between a closed position and an open position" at two locations. Favorable reconsideration is respectfully requested.

In summary, claims 2 and 11 were amended and claims 14 and 15 have been added in a manner indicated above.

A new reissue Declaration will be presented after the application has been allowed and is otherwise in condition for allowance.

The Examiner has indicated consideration of the United States and foreign patents and publications cited by applicant. By the lack of application of these references and others like them within the classes or subclasses searched, the Examiner apparently recognizes the clear patentability of the present invention over any of these references.

Therefore, since the claims of the present application have been shown to include limitations directed to the features of applicant's waste bin structure which are neither shown, described, taught, nor alluded to in any of the references cited by the Examiner and by the applicant, whether those references are taken singly or in any combination, the Examiner is

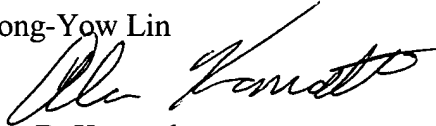
Serial No. 10/772,178

requested to allow claims 1-15, as amended, of the present application and to pass this application to issue.

Dated: April 21, 2006.

Respectfully submitted,

Tsong-Yow Lin

A handwritten signature in black ink, appearing to read 'Alan D. Kamrath', written over the printed name.

Alan D. Kamrath

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